

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

FRANSISCO CONTRERAS-ESTRADA,
Defendants.

AMENDED MEMORANDUM
DECISION AND ORDER
GRANTING DEFENDANT'S
MOTION TO CONTINUE TRIAL
AND EXCLUDING TIME

Case No. 2:06-CR-852 TS

Defendant Contreras-Estrada moves to continue trial due discovery requested by Defendant but not yet received. The government does not object. Based upon Defendant's Motion the Court finds that to deny the continuance would deny counsel for the Defendant the reasonable time necessary for effective preparation for trial, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. It is therefore

ORDERED that Defendant's Motion to Continue (Docket No. 423) is GRANTED and trial is re-set for January 11, 2010, at 8:30 a.m. It is further

ORDERED that the time from the filing of the Motion to the date of the new trial is excluded from the speedy trial calculation, pursuant to 18 U.S.C. § 3161(h)(7).

DATED October 9, 2009.

BY THE COURT:



TED STEWART
United States District Judge